

Record of Proceedings

CALL TO ORDER	A regular meeting of the Council Bluffs City Council was called to order Monday, February 9, 2009 at 7:00 p.m. by Mayor Tom Hanafan.
ATTENDANCE	Council members present: Scott Belt, Lynne Branigan, Matt Schultz, Matt Walsh. Mayor Tom Hanafan Absent: Darren Bates Staff present: Richard Wade, City Attorney; and Judith Ridgeley, City Clerk
CONSENT AGENDA	Belt and Walsh moved and seconded approval of the consent agenda as read: 1) Approval of agenda & tape recording be incorporated into the official minutes; 2) Reading of the minutes of January 26, 2009 regular meeting; 3) Resolution 09-27, intent to dispose of City property; and 4) Resolution 09-28, setting public hearing on plans and specifications for the 10 th Avenue Reconstruction project. Unanimous
PUBLIC HEARINGS Ordinance 6021	Held public hearing regarding Ordinance 6021, amending zoning at 22 Elliott Street from R-1 to R-3. Branigan and Belt moved and seconded approval of Ordinance 6021. Unanimous
Ordinance 6022	Held public hearing regarding Ordinance 6022, amending zoning at former 159 West Pierce from R-3 to C-3. Nate Watson, 126 Park Avenue and Deborah Peterson, 217 S. Main, spoke in favor of the rezoning. Walsh and Schultz moved and seconded to receive and file the letter Mr. Watson presented from the Fairmount Park Neighborhood Association. Unanimous. Belt and Walsh moved and seconded approval of Ordinance 6022. Unanimous. Belt and Branigan moved and seconded to waive third reading of Ordinance 6022. Unanimous
Ordinance 6023	Held public hearing regarding Ordinance 6023, amending zoning of property located north of US Highway 6/Kanesville Boulevard and west of Sherwood Drive from C-2 to R-4. Jack Ruesch, 28 E. Main Place spoke in favor of the ordinance. Belt and Walsh moved and seconded approval of Ordinance 6023. Belt and Schultz moved and seconded to waive third reading of the ordinance. Unanimous

Resolution 09-29	Held public hearing regarding Resolution 09-29, vacating and disposing of part of Eastgate Drive abutting Lot 3, Eastgate Subdivision. Jack Ruesch, 25 Main Place, affirmed the owner will pay the City for the right-of-way. Belt and Walsh moved and seconded approval of Resolution 09-29 and requested Staff bring recommendations for sale price at the February 23, 2009 meeting. Unanimous
Resolution 09-30,	No action taken on Resolution 09-30 as applicant withdrew the application for easement.

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Resolution 09-31	Held public hearing regarding Resolution 09-31, granting an easement and conveying property rights in the South Main Street right-of-way adjacent to the South one-half of Lot 10, Block 4, Jackson's Addition, 227 South Main. Deborah Peterson, 217 South Main was present and stated she will have an alternative submission with a reduced area. Ms. Peterson requested Council approve the easement and she will work with Staff to finalize the reduced area. Belt and Branigan moved and seconded approval of Resolution 09-31. Unanimous
Resolution 09-32	Held public hearing regarding Resolution 09-32 requesting approval of plans and specifications for the Valley View Extension Project II, clearing and grubbing, and directing City Clerk to advertise for bids. Branigan and Belt moved and seconded approval of Resolution 09-32. Unanimous
RESOLUTIONS	
Resolution 09-33	Walsh and Belt moved and seconded approval of Resolution 09-33, executing the order accepting acknowledgement/settlement from Hy-Vee, 1745 Madison for a violation of Iowa tobacco laws. Unanimous
Resolution 09-34	Belt and Branigan moved and seconded approval of Resolution 09-34, designating City Attorney Richard Wade as the person authorized to sign documents in matters between the City and the United States Department of Agriculture. Belt and Branigan amended the motion to add Mayor Tom Hanafan as another person designated to sign documents. VOTE ON AMENDMENT: Unanimous VOTE ON RESOLUTION AS AMENDED: Unanimous
Resolution 09-35	Belt and Schultz moved and seconded approval of Resolution 09-36, authorizing the Mayor and City Clerk to execute an agreement with Schemmer and Associates for engineering services in connection with the South 35 th Street Restoration project. Unanimous
Resolution 09-37	Belt and Schultz moved and seconded approval of Resolution 09-37, authorizing the Mayor and City Clerk to execute an agreement with HGM Associates, Inc., for engineering services in connection with the College Road (East) reconstruction from US 6 to Valley View Drive. Unanimous
Resolution 09-38	Schultz and Branigan moved and seconded approval of Resolution 09-38, amending the 2009 annual plan to reflect the neighborhood stabilization program funds in the Community Development Block Grant budget and directing the Mayor to submit an amended 2009 annual action plan to the US Department of Housing and Urban Development. Unanimous
Resolution 09-39	Schultz and Belt moved and seconded approval of Resolution 09-39, authorizing the Mayor to execute an agreement with HGM Associates, Inc. for engineering services in connection with the 28 th Avenue reconstruction project. 3 Aye, 1 Absent, 1 Abstain (Walsh)
Resolution 09-40	Belt and Schultz moved and seconded approval of Resolution 09-40, authorizing the Mayor to execute an agreement with HGM

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Associates, Inc., for engineering services in connection with the South 19th Street reconstruction project. Unanimous

Resolution 09-41

Branigan and Walsh moved and seconded approval of Resolution 09-41, accepting assignment of a development agreement originally entered into by the City and Council Bluffs Industrial Foundation. Unanimous

Resolution 09-42

Branigan and Belt moved and seconded approval of Resolution 09-42, authorizing and directing the Mayor and City Clerk to execute an agreement with Sasaki Associates, Inc., for professional services related to the design, engineering, public bidding and other services for the Playland Park Development Project. Unanimous

MAYORS APPOINTMENTS

Belt and Branigan moved and seconded to concur with the Mayor's appointments to the following Boards: Citizen Police Advisory Board; Board of Electrical Examiners; General Contractor Board of Peers; Historic Preservation Commission; and Board of Health. Unanimous

RECEIVE AND FILE ITEMS

Resolution 09-43

Branigan and Walsh moved and seconded to receive and file the 2009-10 annual budget, and to hold a public hearing at 7:00 p.m. on Monday, February 23, 2009 for public input. Unanimous

Walsh and Branigan moved and seconded approval of the following: Six notices of claim/loss; three notices of expiration of right of redemption; and three applications for storage yard licenses. Unanimous

**APPLICATIONS FOR
PERMITS OR
CANCELLATIONS**

Walsh and Belt moved and seconded approval of the following applications: Alter Metal Recycling salvage yard license; renewal of liquor license for Ameristar Casino, Holiday Inn, Islamorada Fish Company, and Razzle Dazzle; application for carry-out wine at Bucky's #17; and application for new Class C liquor license for Venue 162. Unanimous

**CITIZEN'S REQUEST TO
BE HEARD**

Ms. Stephanie Oliver, 709 North 36th Street was present to express her concerns about the City trash service and to request she be allowed to contract with Papillion Sanitation. Schultz and Belt moved and seconded to receive and file pictures distributed by Ms. Oliver and directed staff to contact Ms. Oliver to resolve the situation. Unanimous

ADJOURNMENT

There being no further business to come before City Council, Schultz and Belt moved and seconded to adjourn at 7:32 p.m. Unanimous

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

Thomas P. Hanafan, Mayor

ATTEST:

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Judith H. Ridgeley, City Clerk